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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,807	03/09/2001	Tae-Young Kil	P56258	1458

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Robert E. Bushnell
Suite 300
1522 K Street, N.W.
Washington, DC 20005-1202

EXAMINER

DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action
After the Filing of an Appeal Brief

Application No.

09/801,807

Examiner

Willie J. Daniel, Jr.

Applicant(s)

KIL, TAE-YOUNG

Art Unit

2686

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The reply filed 13 July 2005 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☒ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other: See Continuation Sheet

Ch Appiah 7/28/08
CHARLES APPIAH
PRIMARY EXAMINER

Continuation of 4 Other: The request for reconsideration has been considered but does NOT place the application in condition for allowance because: Applicant's arguments filed 13 July 2005 have been fully considered but they are not persuasive. Examiner respectfully disagrees with applicant's arguments as the applied reference(s) provide more than adequate support and to further clarify (see the comments in this section and Final Action mailed on 15 April 2005).

Regarding applicant's argument of claims 25, 28, and 30 on pg. 2, 2nd paragraph "...rejection is traversed..." and pg. 3, 2nd paragraph "...are fully supported by the original specification...", the Examiner respectfully disagrees. The claimed limitation "transmitting no cell secession alarm information to the corresponding mobile station upon a determination that the mobile station is not registered in the private radio mobile communication system" is addressed by the following:

a. Applicant on pg. 2, 3rd paragraph states "...limitation in question is supported by the paragraph bridging pages 15 and 16 of the original application...", the Examiner disagrees and the limitation in question is not supported by the cited pages nor Fig. 2. The paragraph and Fig. 2 cited by applicant describes a process that is applicable when a mobile station (MS 24) is located within a private radio communication system (PBTS 8 sub k). The process relies on two conditions for determination which MUST be satisfied. Condition #1 applies when MS 24 is registered in PBTS 8 sub k AND is performing an extension call thereby allowing the process to operate a cell secession alarm (also, see Fig. 2). Condition #2 applies when MS 24 is registered in PBTS 8 sub k AND is performing a call that is NOT an extension call which allows for a handoff to occur to a neighbor BTS 8 sub 1 without a cell secession alarm. The limitation indicates that a mobile station is not registered in the private radio mobile communication system (1A).

b. Applicant on pg. 2, 4th paragraph states "...the paragraph bridging pages 9 and 10 of the original application..." as support for the limitation, the Examiner respectfully disagrees. This cited paragraph by applicant only speaks of a mobile station (MS 24) being registered or not registered in the public/private communication service unit (12). Also, the cited paragraph by applicant does not mention any description of a cell secession alarm or a determination. The limitation requires a determination to be made but the mobile station is outside of and not registered in the private radio mobile communication system (1A) to use public/private communication service unit (12).

The cited paragraphs by applicant are inconsistent and relate to two different scenarios which fail to support the claimed limitation. As a result of the discrepancy and lack of support, the rejections of claims 25-31 are maintained as indicated above and Final Action mailed on 15 April 2005.

The Examiner acknowledges applicant's request for reinstatement of the appeal and the submission of a supplemental appeal brief.